19~~4~~7. **File No.** Factories II/47

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Legal **DEPARTMENT**

B **BRANCH**

Subject:—

Rules and Notifications under The Factories Act, 1934.

P.5/B

A C C E S S.

Legal Department File No. Factories 17/1947

Sr. No.	Compilation No.	Subjects	Pages.
		Factories Act, 1934	
1.	U.R. to P&S.D. No. 3089 14-4-47	S. 42 (4) Issue of Notification for extending period of C.L.P.' orders.	1-2.
2.	U.R. to P.&S.D. No. 10730 8-11-47	S. 32. Notifica-tion under.	3-5.

SW 10/5/50 -5 c.

Office of the R.L.A.

Sub-section (4) of section 44 of the Factories Act, 1934, as substituted by section 5 of the Factories (Amendment) Act, 1946, (X of 1946) provides that an order under sub-section (3) shall remain in force for such period not exceeding two months from the date on which notice thereof is given to the manager of the factory as may be specified in the order. Provided that if in the opinion of the Provincial Government the public interest so requires, the Provincial Government may from time to time by notification in the official Gazette, extend the operation of any such order for such period, not exceeding six months at any one time, as may be specified in the notification. Consequently, the power to extend the period of the order made by the Chief Inspector vests in the Provincial Government if the Provincial Government considers it necessary in the public interest to do so. In the case under consideration in R.L.A.'s No. 1033-L, dated 27th September, 1946, it appears that the orders issued by the Chief Inspector of Factiries were in force upto 30-9-1946 and as the intention was that the six months' period should expire on the 31st March, 1947, it was advised that the notification in question may issues on 1st October, 1946, and accordingly the P. and G. Department has issued notification No. 428/46, dated the 1st October 1946 extending the operation of orders made by the Chief Inspector of Factories, Bombay, by six months i.e. upto 31st March, 1947, in respect of the Security Printing Press, and the Currency Note Press, Nasik Road. On further consideration it seems that as this notification was issued on the 1st October, 1946, that is to say after the expiry of the orders issued by the Chief Inspector of Factories on te mid-night of 30-9-1946, it would be deemed to be invalid. Accordingly, the view taken by the D.S., P. and S.D. at pages 37-38 ante that the notification under section 44(4) extending the period of orders of the Chief Inspector of Factories, Bombay, should issued, before their expiry,

is correct.

Remembrancer of Legal Affairs

U.R. to P. and R.D., No. 3629. dated the 14th April, 1947.

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R.J.No. 11079/22-9-47.

Attention is invited to the letter of the Chief Inspector of Factories at p. 1 ante. For the reasons given by the Chief Inspector, it is proposed to amend rule 49A of the Factories Rules , 1935, (copy put up) for substituting the words "at the intake " for the words "at the feed end" The draft notification at p. 3 ante in that behalf is sent to the R.I.A. for scrutiny.

(2. ~~The~~ draft notification on p. 7 ante as amended is in order. It is covered by section 32 of the Act. A clear copy of the notification is at p. 13 post.

3. Reply may be----)

"A revised draft notification is sent herewith.

~~U.O. to P & S.D., No. 10730 dated 8th November, 1947.~~

Idl- S.W.O.
3/11

SVV
11/5/56
4 c.

S.A.S. Idl- S.L.C.
4/11

D.S. Idl- S.S.P.
6/11

U.O. to R.R.& S.D. No. 10730 dt. 8-11-47.

Notification.

Political and Services Department
Bombay Castle, 1947.

Factories Act, 1934.

No. 382/34-I. - The following draft of a notification which it is proposed to issue under section 32 of the Factories Act, 1934 (XXV of 1934), is published as required by section 79 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after the @----------day of ----------1948.

@ Here insert date not earlier than 3 months from date of publication of this notification in Bombay Government Gazette.

2. Any objections or suggestions which may be received by the Commissioner of Labour, (Factories Department), Lonkar Building, Outram Road, Fort, Bombay, from any person with respect to the said draft on or before the date aforesaid will be considered by Government.

Draft Notification.

No. 382/34-II. - In exercise of the powers conferred by section 32 of the Factories Act, 1934(XXV of 1934), the Government of Bombay is pleased to amend the Bombay Factories Rules, 1935, as follows, namely:-

In sub-rule (3) of rule 49A of the said rules for the words "feed end" the word "intake" shall be substituted.

By order of the Governor of Bombay,

Joint Secretary to Government.

MT
11/8/48